

Before the
Federal Communications Commission
Washington DC 20554

APPEAL

In the Matter of)	
)	
Request for Review of a Decision by USAC)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism in relation to the Southern)	
Door County School District. BEN # 133170)	

**REQUEST FOR REVIEW AND WAIVER OF DECISIONS OF
THE UNIVERSAL SERVICE ADMINISTRATOR**

July 14, 2008

Appellant:

School: Southern Door County School District
BEN: 133170
Contact Person: Mary Stephenson
Contact Address: 560 Willow Drive
Fond du Lac, WI 54935
Contact Phone: 920 493-5117
Contact E-mail: stephensonm@tds.net

The following appeal is for three denials our school district received from USAC dated April 17, 2008.

Appeal #1: Denial of FY2004 funding for:

Form 471: 391661
Form 470: 542720000467022
FRN: 1095190
Category of service: Telecommunications
Service provider: CenturyTel of Forestville, Inc. SPIN 143001796

Appeal#2: Denial of FY2005 funding for:

Form 471: 476285

Form 470: 608590000

FRN: 1314261

Category of service: Telecommunications

Service provider: CenturyTel of Forestville, Inc. SPIN 143001796

Appeal#3: Denial of FY2005 funding for:

Form 471: 474978

Form 470: 608590000

FRN: 130296

Category of service: Telecommunications

Service provider: Wisconsin RSA #10 Limited Partnership SPIN 143000154

To Whom It May Concern:

The Southern Door County School District is appealing the denial of funding for the above three referenced funding requests. The denial was in three funding commitment letters we received dated April 17, 2008. We appealed to the SLD and were notified of a denial in three SLD Administrator's Decision on Invoice Deadline Extension Requests dated June 20, 2008.

- ***USAC's reason for denying the funding request:*** Current deadline guidelines and procedures do not allow approval for the reason submitted. Invoice Deadline Extension request should be filed by the end of the relevant invoice receipt period for the service category of the FRN requiring an extension (120 days after the end of the service delivery date). You did not demonstrate in your appeal that you filed an extension request in a timely manner. Therefore, the appeal is denied.
- ***District's rebuttal of USAC's reason for denying the request:*** Our former E-rate person recently returned to Southern Door County School District and has taken over the E-rate filing again. You can imagine her dismay when she found out that the person who had been doing the filing since FY2004 didn't realize that he was to file 472 (BEAR) forms for particular vendors. While this was an honest mistake, that individual is no longer employed by the district. We are hoping that you can find the kindness in your heart to allow us to file the necessary 472 forms and retrieve some of the money that our school district has lost. Note that in reference to filing the extension in the time period required, the mistake was not found until December 2007 when the original E-rate person returned to Southern Door.

Discussion:

Our FY2006 extension requests were approved with the same reason stated above. The key personnel who had been filing the BEAR forms left in 2004. The new person in the role simply didn't realize in the confusion of the forms that some of the vendors needed BEAR forms filed and some didn't. Because our FY2006 extension requests were approved for the same reason, we respectfully request that you approve our FY2004 and FY 2005 extension requests.

I hope you will see from the above information that our appeal has merit, that it should be granted and remanded back to USAC for funding. If you have any questions, please do not hesitate to contact me or Mary Stephenson. Thank you. (I have given Robert Bocher, state E-rate coordinator from the Wisconsin Department of Public Instruction, authority to file this appeal on our behalf.)

Sincerely,

Joe Innis
District Administrator
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